

**INITIAL STATEMENT OF REASONS**  
**Professional Certificates and Certificate Replacement**  
**Regulations 9070 and 9077**

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At the April 2006 meeting, the Commission approved the reformatting of PAM. In July 2006 the Commission approved new (i.e., reformatted) text for POST PAM Chapter 7 –Certificates, Regulation 9070, et. seq. Since the reformatted Regulation 9070 has been in use, two substantive errors have been noticed and require correction. First, previous text specifying that the Supervisory, Management, and Executive Certificates each require two years of satisfactory experience in the capacity designated was shortened and inadvertently left out of the new regulations. The resulting new regulation allows peace officers that do not possess the "required" experience to obtain advanced certificates before the Commission traditionally deems them eligible. Second, new text [9077(a)(2)] was added pertaining to the numbering of replacement certificates. This should not have been added and in fact describes a nonexistent process.

**Justification – Regulations 9070 and 9077**

Prior to the new reformatted regulations pertaining to certificates, POST PAM Section F, 1-4(g) read as follows:

The Supervisory, Management, and Executive Certificates each require two years of satisfactory experience in the capacity designated in subparagraphs F-1-8(d), F-1-9(d), F-1-10(d). Middle management experience shall be substitutable for supervisory experience. Department head experience may substitute for middle management or supervisory experience. An aggregate of four years' of experience (with at least two years of experience at the higher rank) is required to receive both the Supervisory and Management Certificates; an aggregate of six years' experience (with at least two years experience at the higher rank) is required for award of all three certificates.

The changes to Regulations 9070(j)(6) and 9070(k)(6) are proposed to restore the intent of previous PAM Section F.1-4(g) that allowed for the substitution of higher level experience to qualify for lower level certificates.

9070(j)(6): Language is added that clarifies the four-years experience requirement to be at least 2 years of experience as a middle manager (existing text) and an additional 2 years of experience as either a supervisor or middle manager (new text) in order to receive both the Supervisory Certificate and the Management Certificate. Without this clarifying text the additional 2 years experience could simply be general law enforcement experience and not the (previously) required supervisor or middle manager experience.

9070(k)(6): Language is added that clarifies the six-years experience requirement to be at least 2 years of experience as the department head of the agency (existing text) and an additional 4 years of experience as either a supervisor, middle manager, or department head (new text) in order to receive the Supervisory, Management, and Executive Certificates. Without this clarifying text the additional 4 years experience could simply be general law enforcement experience and not the (previously) required supervisor, middle manager, or department head experience.

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9077(a)(2): The deletion of this language removes text which describes a procedure that does not exist and was not previously approved by the Commission. If this procedure was in existence, it would be more appropriate to have this procedure contained in working directives (i.e. the POST Internal Manual) and not in regulation.